IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

Bail Appl..No. 7329 of 2006()

CMP.10969/2006 of J.M.F.C.,OTTAPPALAM
CRIME NO.429/06 OF CHERPULASSERY POLICE STATION

.....

: APPLICANT/ACCUSED

UNNIKRISHNAN, S/O. MADHAVAN,
AGED 43 YEARS, KARIYANTHODI VEEDU,
KULUKKALLOOR, MULAYANKAVU, OTTAPPALAM TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SMT.P.MAYA

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION No. 7329 OF 2006

DATED THIS THE 12TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Crime No.429/06 of Cherpulassery Police Station for offences punishable under Sections 8(1) and 8(2) of the Abkari Act, for having been found in possession of 4½ liters of arrack on 13.11.2006, seeks his enlargement on bail. The petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other crimes involving similar offences.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec.41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-